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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,876	04/29/2002	Martin Hager	1837	6112

7590

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EXAMINER

LAM, THANH

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,876

Applicant(s)

Martin et al.

Examiner

Thanh Lam

Art Unit

2834



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 pgs
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to the drawings, each of the lettered items should appear in upper case, without underling or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.
- (b) Cross-Reference to Related Applications.
- (c) Statement Regarding Federally Sponsored Research or Development.
- (d) Reference to a "Sequence Listing," a table, or a computer program listing appendix submitted on compact disc (see 37 CFR 1.52(e)(5)).
- (e) Background of the Invention.
 1. Field of the Invention.

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2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.

- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (i) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).
- (k) Drawings.
- (l) Sequence Listing, if on paper (see 37 CFR 1.821-1.825).

2. The disclosure is objected to because of the following informalities: the specification fails to provide Brief Description of the Several Views of the Drawing(s).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Fiedler et al. (EP 0 474 904 B1).

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Fiedler et al. disclose a motor housing (1), especially for window lift motors or sunroof motors, having at least one pole cover (1) and a housing (2) closing off the pole cover, which are joined using fasteners (bolt), characterized in that the pole cover has several receptacles (where the bolt received) for the fasteners, that the housing closing off the pole cover has several counterreceptacles for the fasteners, and such that various receptacles on the pole cover for various housings closing off the pole cover cooperate with the counterreceptacles by means of fasteners.

Regarding claim 2, Fiedler et al. disclose the pole cover has at least one receptacle more than the housing closing off the pole cover has counterreceptacles.

Regarding claim 3, Fiedler et al. disclose the pole cover is attached to the housing closing off the pole cover, at least one receptacle and/or counterreceptacle is free of a fastener.

Regarding claim 4, Fiedler et al. disclose the pole cover has five receptacles of which four receptacles form the corners of a rectangle.

Regarding claim 5, Fiedler et al. disclose the rectangle has long and short sides and that the fifth receptacle is located in the area of a short rectangle side.

Regarding claim 6, Fiedler et al. disclose the pole cover a sixth receptacle is located opposite the fifth.

Regarding claim 7, Fiedler et al. disclose the four receptacles forming the corners of the rectangle are arranged pointsymmetric to a motor shaft arranged in the motor housing.

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Regarding claim 8, Fiedler et al. disclose the housing closing off the pole cover is a drive housing.

Regarding claim 9, Fiedler et al. disclose the housing closing off the terminal housing accommodates electronics.

Regarding claim 10, Fiedler et al. disclose component incorporating a plug is located between the pole cover and the housing closing off the pole cover.

Regarding claim 11, Fiedler et al. disclose the fifth receptacle is located opposite the plug.

Regarding claim 2, Fiedler et al. disclose a printed circuit board (5) is located in the housing closing off the pole cover and the printed circuit board extends parallel along the long side of the rectangle and in so doing crosses over the area of an unused receptacle.

Regarding claim 13, Fiedler et al. disclose the fifth receptacle located on a short side of the rectangle lies next to the unused receptacle and is connected to a counterreceptacle using a fastener.

Regarding claim 14, Fiedler et al. disclose the fasteners are screws, rivets or press pins.

Regarding claim 15, Fiedler et al. disclose Pole cover with a flange on at least one open end and formed receptacles on this flange, there are at least five receptacles of which four receptacles form the corners of a rectangle.

Regarding claim 16, Fiedler et al. disclose the corner has long and short sides and that the fifth receptacle is located in the area of a short rectangle side.

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Regarding claim 1, Fiedler et al. disclose a sixth receptacle is located on the pole cover opposite the fifth receptacle.


5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by McManus (PN 5,268,607).

McMANus discloses a motor housing (12), especially for window lift motors or sunroof motors, having at least one pole cover (12) and a housing (26) closing off the pole cover, which are joined using fasteners (32), characterized in that the pole cover has several receptacles (where the 32 received or 24 or 30) for the fasteners, that the housing closing off the pole cover has several counterreceptacles for the fasteners, and such that various receptacles on the pole cover for various housings closing off the pole cover cooperate with the counterreceptacles by means of fasteners.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The fax phone number for this Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0656.


Thanh Lam

Patent Examiner